

AMENDED

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 20 1990  
 Returned to applicant for correction NOV 07 1990  
 Corrected application filed JAN 07 1991  
 Map filed JAN 07 1991 under 55308

The applicant HORIZON GOLD SHARES, INC.  
1536 Cole Blvd. Suite 140, of Golden,  
Street and No. or P.O. Box No. City or Town  
Colorado 80401, hereby make<sup>S</sup> application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Incorporated on March 12, 1980 in Colorado

1. The source of the proposed appropriation is underground.  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 1.0 second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet.
3. The water to be used for Mining, Milling and Domestic.  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated.
  - (b) Stockwater, state number and kinds of animals to be watered.
  - (c) Other use (describe fully under "No. 12. Remarks").
  - (d) Power:
    - (1) Horsepower developed.
    - (2) Point of return of water to stream.
5. The water is to be diverted from its source at the following point within an unsurveyed 40-acre subdivision estimated to be at NE¼ NW¼ Section 14 based upon the official protraction diagram of Township 23 North, Range 35 East M.D.B.&M. from which the well bears  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. N. 00° 51' E. a distance of 3888.38 feet; bears from a U.S.C.&G.S. benchmark 3411 (C-104)
6. Place of use within Sections 11, 12, 13, 14 Township 23 North, Range 35 East, MDB&M Churchill County, Nevada. All of the said lands are located within unsurveyed sections.  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, distribution system, storage pond and reclamation system.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.
9. Estimated cost of works \$100,000

10. Estimated time required to construct works.....Two (2) years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....Five (5) years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for processing and heap leaching of gold-bearing ores associated with the development of this new mining project, the Dixie-Comstock Project. Annual use from all sources will not exceed 724 acre-feet per year. NOTE\*\*\*Bearings are based on Santa Fe gold local coordinate grid between two existing USC & GS bench mark monuments. Bearing and distance being N. 33° 11' 11" E., 5555.25'.

By s/Timothy M. Dyhr.  
Timothy M. Dyhr.  
5400 Equity Ave.  
Reno, NV 89502

Compared.....bc/bc

Protested.....

.....DENIAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby <sup>deny</sup>~~grant~~ the same, subject to the following limitations and conditions:

Applications 55308 through 55314, inclusive, and 56987 through 56990, inclusive, are hereby denied on the grounds that the applicant failed to submit the data and information requested by the State Engineer's Office and that without this information the granting of the applications would be detrimental to the public interest.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed on or before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

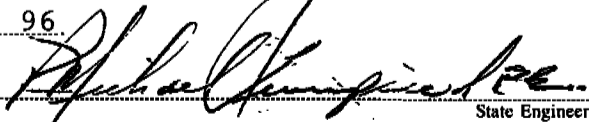
Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 31st day of December

A.D. 19 96  
  
State Engineer